

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 2, 2001**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:23 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner DuBois MOVED THAT THE PUBLIC HEARING ON RZ-2001-DR-001, EDMOORE/STUART ROAD LLC, BE DEFERRED TO A DATE CERTAIN OF MAY 23, 2001.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Moon, Palatiello, Smyth, and Wilson not present for the vote.

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Commissioner DuBois, to allow time for review by the Health Care Advisory Board, announced her intent to defer the public hearing on SEA-98-D-023, Sunrise/Inova McLean Assisted Living, from May 3, 2001 to May 31, 2001.

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Commissioner Hall MOVED THAT THE PUBLIC HEARING ON PCA-76-M-112-2, SEVEN OAKS II HOA, BE DEFERRED TO A DATE CERTAIN OF MAY 23, 2001.

Commissioner Byers seconded the motion which carried unanimously with Commissioners DuBois, Palatiello, Smyth, and Wilson not present for the vote.

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To allow time for further review, Commissioner Kelso MOVED THAT THE ADMINISTRATIVE REVIEW BY THE PLANNING COMMISSION ON VC-01-L-030, GOVERNOR'S HILL LLC, BE DEFERRED UNTIL THURSDAY, MAY 10, 2001.

Commissioner Byers seconded the motion which carried unanimously with Commissioners DuBois, Smyth, Palatiello and Wilson not present for the vote.

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Commissioner Alcorn announced that the Development Criteria Review Committee would meet again on June 20, 2001 at 6:30 p.m. in the Board Conference Room.

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Chairman Murphy announced that the Fairfax Fair would take place on June 8, 9, and 10, 2001. He pointed out that a sign-up sheet for volunteering at the Planning Commission's soft drink booth was being circulated and added that sales proceeds would be donated to the Fair's scholarship fund for County employees and their dependents.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. PUBLIC FACILITIES MANUAL AMENDMENT (Corporate Surety Bonds)
2. RZ/FDP-2000-MA-055 - JOHN H. THILLMANN
3. S98-CW-4CP -OUT-OF-TURN PLAN AMENDMENT
(Dulles Corridor Transit Station Area)

This order was accepted without objection.

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PUBLIC FACILITIES MANUAL (PFM) AMENDMENT (Corporate Surety Bonds) - To amend the PFM to permit a surety company that is currently not rated Class A VI or better, in the Best Key Rating Guide,

to issue a performance bond if the surety can provide: (1) a cut-through agreement w/a reinsurance company that is rated Class A VI or better, or (2) a co-surety rated Class A VI or better. PUBLIC HEARING.

Ms. Jan Leavitt, Environmental and Facilities Review Division, Department of Public Works and Environmental Services (DPWES), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the language outlined on the second page of the staff report.

In response to questions from Commissioner Moon, David Stoner, Esquire, Assistant County Attorney, explained the difference between a cut-through agreement and a co-surety. He confirmed that the original proposal for the amendment came from the development industry.

In response to further questions from Commissioner Moon, Mr. Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES, said that he was not sure of the number of insurance companies licensed to do business in Fairfax County with a Class A VI or better rating. He stated that there were approximately 1300 projects in progress in the County where some type of security for public improvements was in effect. He added that about two-thirds of those projects were secured by performance bonds.

In response to additional questions from Commissioner Moon, Ms. Leavitt explained the requirements in neighboring jurisdictions.

In response to another question from Commissioner Moon, Mr. Stoner said that the County Attorney's Office had no objections to the proposed amendment.

Chairman Murphy called for speakers from the audience, but received no response. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Moon for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Moon MOVED TO DEFER DECISION ONLY UNTIL TOMORROW.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Palatiello not present for the vote.

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RZ/FDP-2000-MA-055 - JOHN H. THILLMANN - Appls. to rezone from C-8, R-3 & HC to PDH-12 & HC to permit residential development at a density of 11.6 du/ac & approval of the conceptual & final development

plans on property located E. of the intersection of Powell La. & Columbia Pike on approx. 4.21 ac. Comp. Plan Rec: 2-3 du/ac. Tax Map 61-4((1)) 157 & 61-4((4))A, B1 & 5. MASON DISTRICT. PUBLIC HEARING.

Mr. John Thillmann, applicant, reaffirmed the affidavit dated February 28, 2001. There were no disclosures by Commission members.

Mr. William Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Commissioner Hall circulated a group of photos depicting the subject property's current condition. She noted that new proffers had recently been submitted and announced her intention to defer decision.

Mr. Thillmann explained that this application was the result of a Plan Amendment initiated by Supervisor Gross and her staff approximately four years ago. He stated that the property was in need of redevelopment and that the current three automobile-oriented uses and the one manufacturing and distribution use would be replaced with a residential use which would be more compatible with the adjacent townhouse and multi-family developments. He added that the property had been zoned C-8 since the 1950s and that citizens in the area supported the proposed redevelopment. Mr. Thillmann noted that the applicant, having completed the necessary warrant studies, would provide a traffic signal at the intersection of Powell Lane and Columbia Pike. He disagreed with staff that a service drive was needed along Columbia Pike. He said that the applicant would provide the service drive if required, but maintained that to do so would exacerbate existing traffic problems. He stated that the recommendation for a service drive was still in the Comprehensive Plan due to an oversight when the Plan Amendment was approved.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary.

Commissioner Hall said that this application had been discussed at great length in Mason District citizens meetings. She said that the concerns expressed by adjacent residents had been addressed by the applicant and that provision of a signal would improve the traffic situation in the area. She added that she was not inclined to support a waiver of the service drive requirement.

There being no further comments or questions from the Commission or closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Hall for a deferral motion. (Verbatim excerpts are in the date file.)

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Commissioner Hall MOVED THAT WE DEFER DECISION ONLY ON RZ/FDP-2000-MA-055, JOHN H. THILLMANN, UNTIL A DATE CERTAIN OF MAY 10, 2001, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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S98-CW-4CP -OUT-OF-TURN PLAN AMENDMENT (Dulles Corridor Transit Station Area) - To consider proposed revisions to the Adopted Comprehensive Plan in accordance w/the Code of Virginia, Title 15.2, Chap. 22 concerning the area around four proposed transit station areas in the median of the Dulles Airport Access Road (DAAR). The general locations of the four proposed stations are: 1) Wiehle Ave. & the DAAR; 2) Reston Pkwy. & the DAAR; 3) Monroe St./Van Buren St. & the DAAR; & 4) Horse Pen Rd. & the DAAR. The amendment considers changes to the Comprehensive Plan to make the Plan recommendations more supportive of transit in this corridor. The changes under consideration include adding recommendations for residential uses in areas currently planned for non-residential uses, to allow mixed use development (including office, hotel, support retail & residential uses), to allow potential increases in the FARs to allow office use up to 0.50 FAR, residential use up to 40 du/ac & mixed use up to 2.5 FAR, subject to certain conditions, & the addition of urban design & access guidelines for development in the transit station areas. PUBLIC HEARING.

Mr. Fred Selden, Director, Planning Division, Department of Planning and Zoning, introduced Ms. Kohann Whitney, Chairman of the Dulles Corridor Land Use Task Force.

Ms. Whitney explained that the Task Force members had been appointed by the Board of Supervisors in August 2000 to make recommendations concerning appropriate bus rapid transit (BRT) and rail-oriented land uses in the Dulles Corridor. She added that the Task Force had focused on four separate transit station areas and faced many challenges to develop the recommendations outlined in the Task Force Report, a copy of which is in the date file. She discussed the make-up of the 24-member Task Force and explained that the members had concentrated on land use, not real estate market or financial, considerations. Ms. Whitney spoke about the public input process.

In response to a question from Commissioner Palatiello, Ms. Whitney confirmed that she understood the Planning Commission's role in this process.

Ms. Whitney continued her presentation, noting some incentives to encourage implementation of the recommendations. She stated that planning objectives for the corridor were grouped in five categories: accessibility, design, development potential, transportation, and function. She briefly discussed these objectives and listed the following four members of the Task Force who would review the recommendations for the four transit station areas in the Dulles Corridor.

- Mr. John Horton - Wiehle Avenue Station
- Ms. Monique Leahy - Reston Parkway Station
- Ms. Shiela Olem - Herndon-Monroe Station
- Mr. William Uffelman - Rt. 28/CIT Station

Mr. Horton, addressing the Wiehle Avenue Station, discussed the factors that made this station area unique, listed the key characteristics of the area, including existing land uses, and summarized the Task Force's recommendations.

Ms. Leahy, Ms. Olem, and Mr. Uffelman did the same for the remaining three station areas.

Commissioner DuBois complimented staff for the accompanying bar charts, copies of which are in the date file, depicting the cumulative gross floor area totals of the four transit station areas in the Corridor

Ms. Leahy responded to questions from Commissioners Byers and Alcorn concerning park-and-ride lots.

Ms. Olem responded to questions from Commissioner Byers regarding the definition of the station areas and explained that the statistical projections outlined in the Task Force Report for the Herndon-Monroe Station Area did not include the Town of Herndon.

Ms. Whitney returned to the podium to summarize the Task Force presentations. She reiterated that the 24-member Task Force, composed of concerned citizens and business representatives, met almost weekly for seven months and took a Saturday bus tour of the Corridor. She added that all of the Task Force meetings had been open to the public and that proposed agendas had been posted on the County's website. She stated that there had been a few newspaper articles about the Task Force's work and that the draft report had been available at the end of March. She said that concerned citizens were encouraged to continue to participate throughout the public hearing process.

Mr. Selden stated that the proposed Plan text incorporated in the staff report, a copy of which is in the date file, highlighted staff comments in instances where alternative language was proposed. He noted one particular section, on page 6 of Attachment 2, where staff recommended retaining the current requirement for acquisition/dedication of 10 acres in Land Unit A for active recreation use while the Task Force recommended deletion of that language. Mr. Selden pointed

out that Mr. Bob Owolabi and Mr. Satvinder Sandhu, Fairfax County Department of Transportation, and Mr. John Dittmeyer, Assistant Project Manager for WMATA's Dulles Corridor Rapid Transit Project, were present and available to answer questions.

Mr. Selden responded to questions from Commissioner Palatiello regarding the current Reston Master Plan, the current Reston population count according to the 2000 census, and the projected population count, including build-out of the Reston Town Center.

Ms. Whitney responded to questions from Commissioner Palatiello regarding the Task Force's recommendations for building heights and protection of existing residential communities.

At Commissioner Palatiello's request, Mr. Dittmeyer briefly described the bus rapid transit (BRT) system, how this proposed Plan Amendment would lay the groundwork for future BRT and the impact on the future of BRT or rail transit in the Dulles Corridor if the Comprehensive Plan was not changed.

Commissioner Palatiello announced his intention to defer decision on this amendment to allow time to consider the testimony received tonight and to confer with Dranesville District Commissioner DuBois and Sully District Commissioner Koch whose districts would also be affected by the proposed land use recommendations.

In response to questions from Commissioner Alcorn, Mr. Dittmeyer confirmed that the BRT stations proposed by this Plan Amendment could be converted to rail stations, but that such was not the case in the Tysons Corner area.

Commissioner Alcorn complimented staff for its work on this project.

Mr. Selden responded to questions from Commissioner Alcorn about land use planning in the Ballston area and the design guidelines in the Dulles Corridor.

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(The Commission went into recess at 10:15 p.m. and reconvened in the Board Auditorium at 10:30 p.m.)

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Chairman Murphy recited the rules for public testimony and called the first name on the speakers list.

Mr. Christopher Walker, 12007 Sunrise Valley Drive, Reston, supported the concept exemplified in the Plan Amendment. He agreed that higher densities were needed in the Dulles Corridor.

Mr. Mark Looney, member of the Task Force and representing the Greater Reston Chamber of Commerce, 11951 Freedom Drive, Reston, spoke in support of the Plan Amendment. (A copy of a resolution from the Chamber is in the date file.)

Mr. Kenneth Plum, 2073 Cobblestone Lane, Reston, State Delegate and Chairman of the Dulles Corridor Rail Association (DCRA), supported the proposed Plan Amendment. He stated that the County was on the verge of realizing a 40-year dream for rapid transit to Dulles and that this was an opportunity to merge land use and transportation planning to "get it right". Mr. Plum, on behalf of the DCRA, commended the citizens who served on the Task Force for an excellent and thorough job and County staff for providing support to the Task Force.

Mr. Daniel Alcorn, 1335 Ballantrae Lane, McLean, member of the Task Force, spoke in favor of the Plan Amendment. He said that the Task Force recommendations complemented and supported the Tysons Corner Urban Center Plan prepared by the Tysons Corner Task Force.

Ms. Pat Nicoson, President of the DCRA, 11800 Sunrise Valley Drive, Reston, and member of the Task Force, encouraged approval of the Task Force recommendations. (A copy of her statement is in the date file.)

Mr. Joseph Stowers, Chairman of the Transportation Committee of the Reston Citizens Association, 1612 Washington Plaza North, Reston, supported the Plan Amendment in general; however he had several suggestions for improving the recommendations of the Task Force. He highlighted the two most important regarding pedestrian access and mixed use developments. (A copy of Mr. Stowers' recommendations is in the date file.)

Mr. Stowers responded to questions from Commissioner Alcorn regarding his suggestions.

Mr. Leo Schefer, President of the Washington Airports Task Force, P. O. Box 17349, Dulles International Airport, Washington, DC, supported the proposed Plan Amendment. He said that the decisions made by the Planning Commission and Board of Supervisors regarding the integration of transit and land uses would have a profound effect on the future economy and quality of life in Fairfax County. (A statement from Mr. Schefer is in the date file.)

Mr. Patrick Kane, 11232 South Shore Road, Reston, spoke in support of the Plan Amendment. He agreed with the incentives recommended to encourage the higher densities needed to facilitate rapid transit.

Ms. Leslie Weatherly, Co-Chair of the Fairfax County Employers Child Care Council, also represented American Medical Laboratories, 14225 Newbrook Drive, Chantilly. She specifically was pleased to see the reference to child care as an example of support retail use for the County-owned parcel in Sub-unit C-2 of the Herndon-Monroe Transit Station Area and strongly supported the promotion of child care as part of the proposed mixed use developments. (A copy of Ms. Weatherly's statement is in the date file.)

In response to questions from Commissioner Palatiello, Mr. Selden said that child care facilities, while not specifically mentioned in all of the Transit Station Areas, were not precluded by any means and that perhaps the Plan language could be modified to include an overall statement such as that for educational institutions.

Ms. Carol Welti, 10116 Westford Drive, Vienna, urged the speedy approval of the proposed plan to integrate rapid transit in the Reston community. (A copy of Ms. Welti's statement is in the date file.)

Mr. Stewart Schwartz, representing the Coalition for Smarter Growth, 1777 Church Street, Washington, DC, supported the proposed Plan Amendment. He said it was an important step for the County and one that was essential to the future quality of life and economic competitiveness. (A copy of Mr. Schwartz's statement is in the date file.)

Mr. Charles Hylton, 11721 Indian Ridge Road, Reston, spoke in opposition. He focused his remarks on the Wiehle Avenue Station Area, maintaining that there had not been enough public involvement by the people most affected and that the already carefully planned balance between commercial and residential uses in Reston would be destroyed if the proposed amendment was adopted. (A copy of Mr. Hylton's statement is in the date file.)

Ms. Cassie Seiple, representing the Washington Regional Network (WRN) for Livable Communities, 1777 Church Street, NW, Washington, DC, supported the proposed Plan Amendment. She said that WRN's goal was to create and sustain a network of walkable communities linked by quality transit and surrounded by greenbelts. (A copy of Ms. Seiple's statement is in the date file.)

Mr. John Janega, 1640 Cedar Hollow Way, Reston, did not support the proposed changes, specifically the proposed 14 percent increase in density, which he maintained would have an adverse impact on the quality of life in Reston.

Mr. Roger Diedrich, 3322 Prince William Drive, Fairfax, representing the Sierra Club, supported the Task Force's efforts, but felt that floor area ratios (FARs) should be reduced to a maximum of 3.0, as allowed in the recently created Planed Residential Mixed Use District, and more effort made to preserve open space. (A copy of Mr. Diedrich's statement is in the date file.)

Mr. Jeffrey Fairfield, 1175 Herndon Parkway, Suite 399, Herndon, co-trustee of the Launders Trust and member of the Task Force, said that his experience on the Task Force impressed upon him the critical importance of commercial mixed use development with a high density residential component towards the ultimate success of mass transit in the Dulles Corridor. He explained that 10 acres of the Launders Farm, a 50-acre tract of land in Land Unit A, was currently designated for active recreation, but that the Task Force had recommended language that did not include this provision. He concurred with the Task Force recommendation and disagreed with staff's recommendation that the recreation designation not be deleted. Mr. Fairfield said that the

inclusion of this language was unfair and unreasonable to the property owners as well as incompatible and irreconcilable with the land use planning objectives that the Task Force had identified. He explained that almost 40 percent of the site was environmentally sensitive land surrounding Merrybrook Run, a stream running through the property. He added that dedicating an additional 10 acres for recreation would result in 60 percent of the site being taken for public use. The remaining 40 percent, he maintained, would most likely end up being developed, not with mixed uses as envisioned, but with two large office buildings, close to the Toll Road for maximum visibility, and structured parking, with no high density residential, no support retail, no hotels, and none of the urban density, urban design recommended by the Task Force. He agreed that parks were a laudable and important public objective, but added that rapid transit was also and that the County was about to embark upon a significant public investment in rapid transit and that that should be the overriding goal in determining the appropriate Plan language for the Launders property.

In response to questions from Commissioner Palatiello, Mr. Fairfield confirmed that the entire Launder's property was not within the transit station area (TSA), but pointed out that the majority of it, and the most developable portion, was in the TSA.

In response to questions from Commissioner Hall, Mr. Fairfield said he could not recommend an alternate location for the needed recreational area.

In response to questions from Commissioner Smyth, Mr. Fairfield said that commercial mixed use with office, possibly a hotel, and high density residential would be appropriate for the Launders property.

In response to questions from Commissioner Wilson, Mr. Selden explained that during the study of this area conducted by the Rt. 28 Task Force approximately 3 ½ years ago, the Launders property was determined to be the last opportunity for recreational use. He further explained that most of the adjacent parcels were zoned industrial and many were already designated to provide dedications for road improvements necessary to facilitate transportation plans. He added that the Launders property was zoned R-1 and had been in agricultural use for some time and was not a party to the infrastructure improvements proffered by nearby properties that had been through the rezoning process. He pointed out that the density/intensity associated with the dedicated land would still be available to the property owner, although it would require higher buildings and more structured parking.

Ms. Lynn Tadlock, Director, Planning and Development Division, Fairfax County Park Authority, concurred with Mr. Selden's remarks. She spoke about the great need for active recreation uses, noting that the Hunter Mill District was one of the most underserved districts in terms of athletic fields.

Richard Hobson, Esquire, with McGuire, Woods, Battle & Boothe, 1750 Tysons Boulevard, Suite 1800, McLean, explained that he was representing two clients tonight: Mark Winkler

Companies, managing agent for the owner of the Reston International Center, a property located in Sub-unit F1 of the Reston Parkway Station Area and KJS Properties LLC, owner of property located in Land Unit A of the Rt. 28/CIT Station Area. Concerning the first property, he explained that the 8.5-acre parcel was currently zoned PRC and developed with high-rise office at .55 FAR with no proffers, a free standing Chili's Restaurant, and a single story commercial building, largely vacant at the present time. He said that the property was in need of upgrading and that the Plan language proposed on page 29 of the Task Force Report was marginally acceptable. Concerning the second site, he explained that KJS Properties had donated the land for the CIT in Loudoun County and helped to develop Innovation Drive, that would provide access to the Rt. 28/CIT Station. He noted that the Loudoun County portion of the property was zoned for office, research and development, and hotel uses at 1.0 FAR and the 5-acre portion of the property located in Fairfax County was zoned C-3 and proffered to a .45 FAR. He stated that page 32 of Task Force Report indicated that uses and development should be consistent with the uses and intensity allowed by Loudoun County; however, the actual Plan language proposed on page 5 of Attachment 3 to the staff report recommended development at .50 FAR. Mr. Hobson said that such a small increase in density, from .45 to .50, was not sufficient incentive for the developer to conform with the Task Force's objectives.

Mr. Bruce Hall, 12703 Hitchcock Court, Reston, representing Reston Youth Baseball, spoke about the need for active recreation areas in the Hunter Mill District, especially ball fields. He stressed the importance of athletic activities in the lives of children and adolescents.

Mr. Hall responded to questions from Commissioners Palatiello and Hall regarding current recreation areas.

Ms. Gwen Minton, 11509 Hemingway Drive, Reston, Hunter Mill District representative on the Park Authority Board, spoke about the deficit of park land and recreation areas in the Hunter Mill District and noted that the increased density proposed by this Plan Amendment heightened the need. She said that park land was compatible with high density, transit-oriented development and cited examples of this in Fairfax and Arlington Counties; specifically the Huntington and Ballston Metro Station Areas. She supported staff's recommendation for the Launders property.

Mr. Thomas Bellanca, 11810 Breton Court, Unit 22C, Reston, spoke in support of the proposed Plan Amendment. He said particular attention should be paid to the "trigger" mechanisms of financing as the elevated densities developed.

In response to questions from Commissioner Alcorn, Mr. Bellanca said he did not object to the mixed use concept, but felt that high density residential close to the proposed transit stations was an important part of the overall plan.

Ms. Vera Hannigan, 11220 Wedge Drive, Reston, spoke in opposition to the Plan Amendment. She said that there was no need for additional density and that rail transit would come to Reston

without it. She added that the proposed increases would destroy the character of Reston. She also expressed her concern about the lack of adequate notification. (A copy of Ms. Hannigan's statement is in the date file.)

Ms. Jody Bennett, 1459 Hunter View Farms, Reston, objected to the proposed increases in densities. She agreed with Ms. Hannigan that there was not enough public notification.

Ms. Bennett responded to questions from Commissioners Byers and Hall regarding the notification process. She reiterated that more citizen involvement was needed.

Chairman Murphy suggested that citizens advocating recreational areas be more realistic and specific in their requests.

At the request of Commissioner Alcorn, Ms. Whitney returned to the podium and explained citizen outreach efforts of the Task Force.

There being no further comments or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Palatiello for a deferral motion. (Verbatim excerpts are in the date file.)

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Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION DEFER DECISION ONLY ON S98-CW-4CP TO A DATE CERTAIN OF MAY 10, 2001, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENTS.

Commissioner Byers seconded the motion which carried unanimously.

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The meeting was adjourned at 12:45 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins
Approved on: July 25, 2002

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission